

REMARKS

Claims 1-4 have been examined and have been rejected under 35 U.S.C. § 102(e).

I. Preliminary Matters

The Examiner has not acknowledged the drawing submitted on April 19, 2004.

Accordingly, Applicant respectfully requests the Examiner to indicate whether the drawing is acceptable in a subsequent Office Action.

II. Rejections under 35 U.S.C. § 102(e) in view of U.S. Patent No. 6,883,167 to Szewerenko et al. ("Szewerenko")

The Examiner has rejected claims 1-4 under 35 U.S.C. § 102(e) as allegedly being anticipated by Szewerenko.

A. Claim 1

Applicant submits that claim 1 is patentable over the cited reference. For example, claim 1 recites, "wherein, for interlinking the selected modules, a respective identifier is assigned to each of the selected modules via a centrally predefined allocation table."

The Examiner maintains that Szewerenko discloses the above features of claim 1. In particular, the Examiner maintains that the object files of Szewerenko disclose the claimed modules and the cross-reference graph discloses the claimed identifier (pg. 3 of Office Action). As set forth in Szewerenko, the cross-reference graph is constructed for all input sections, where input information includes a list of object files and libraries (col. 7, lines 10-14). The cross-

reference graph is used “to make available for allocation only those code and data sections that are actually needed,” where the “allocation” indicates actual allocation of the code and data sections to memories of a processor (col. 7, lines 13-16 and lines 37-40). Applicant submits, however, that there is no teaching or suggestion that the cross-reference graph includes a special “identifier” assigned to each input object file that is actually “selected” for linking, as set forth in claim 1. Rather, the cross-reference graph of Szewerenko forms a type of table of all available input object files and only the object files that are needed are made available for allocation to memory of a processor. There is no special “identifier” disclosed.

Further, claim 1 recites that the respective identifier specifies a subsequent one of the modules that is to be called after a respective, one of the modules that is assigned to the respective identifier is executed.

In regard to the above recitation, the Examiner refers to the linking recipe 512 of Szewerenko. As an initial matter, Applicant notes that the Examiner now appears to contend that the linking recipe 512 discloses the claimed identifier, where, as set forth above, the Examiner appears to contend that the cross-reference graph relates to the claimed identifier. Accordingly, the Examiner’s grounds of rejection are inconsistent in this regard and Applicant respectfully requests the Examiner to clarify which limitation is alleged to equate with the claimed identifier. In any event, regarding the linking recipe 512 of Szewerenko, the reference discloses that the recipe is generated from linking instructions received from a user or client program (col. 9, lines 31-33). The linking recipe 512 is a set of linking instructions that describe how the visual linker

501 is to be controlled (col. 9, lines 33-35). There is no teaching or suggestion that the linking recipe 512 includes any respective identifiers, where such identifiers are assigned to each respective selected object file. Furthermore, the linking recipe 512 itself cannot represent an actual identifier since the linking recipe 512 is a listing of all linking instructions to be used. In other words, the linking recipe 512 cannot be considered as a single identifier assigned to a respective object file (alleged module), in the manner set forth in claim 1.

At least based on the foregoing, Applicant submits that claim 1 is patentable over the cited reference.

B. Claims 2 and 3

Since claims 2 and 3 are dependent upon claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency.

C. Claim 4

Since claim 4 contains features that are analogous to the features discussed above for claim 1, Applicant submits that claim 4 is patentable for at least analogous reasons as claim 1.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Response under 37 C.F.R. § 1.111

U.S. Application No.: 10/826,256

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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